

PUBLIC CONDUCT ON SCHOOL PROPERTY REGULATION

These rules govern the conduct of students, faculty and other staff, licensees, invitees, and all other persons, whether or not their presence is authorized, upon district property, and also upon or with respect to any other premises or property under the control of the district and used in its teaching programs and activities, and in its administrative, cultural, recreational, athletic, and other programs and activities.

Prohibited Conduct

No person, either alone or with others, shall:

1. willfully injure any person or threaten to do so;
2. willfully damage or remove district property;
3. disrupt the orderly conduct of classes, school programs or other school activities;
4. distribute or wear materials on school grounds which appear obscene, which advocate illegal action, discriminate against race, nationality or religion, appear libelous, disruptive to the school program or obstruct the rights of others;
5. intimidate, harass, or discriminate against any person on the basis of race, color, religion, sex, age or disability;
6. enter upon any portion of the school building without authorization or remain in any building or facility after it is normally closed;
7. obstruct the free movement of any person in any place to which these rules apply;
8. violate the traffic laws, parking regulations or other restrictions on vehicles;
9. possess, consume, sell, distribute or exchange alcoholic beverages, controlled substances, or be under the influence of either on school property or at any school-related function;
10. possess or use of firearms and/or other weapons including air guns, pistols, rifles, shotguns, ammunition, explosives, box cutters, knives, gas canisters, pepper spray or other noxious spray in or on school property (except in the case of law enforcement officers or except as specifically authorized by the school district);
11. loiter on or about school buildings or grounds;
12. refuse to comply with any lawful order of an identifiable school district official acting in the performance of his/her duties;
13. willfully incite others to commit any of the acts herein prohibited; and/or
14. violate any federal or state statute, local ordinance, or Board policy.

Penalties and Procedures

A person who violates any of the provisions of these rules shall be subject to the following penalties and procedures:

1. If a licensee or invitee, his/her authorization to remain upon the grounds or other property shall be withdrawn and he/she shall be directed to leave the premises. In the event of failure to do so, he/she shall be subject to ejection.
2. If a trespasser or visitor without specific license or invitation, he/she shall be subject to ejection.
3. If he/she is a student, he/she shall be subject to immediate ejection and to disciplinary action as the facts of the case may warrant, including suspension, probation, loss of privileges,

reprimand or warning as prescribed by section 3214 of the Education Law, so long as the provisions pertaining to notice and hearing have been met.

4. If a tenured faculty member, he/she shall be subject to immediate ejection, and to warning, reprimand, suspension and/or other disciplinary action as prescribed by and in accordance with section 3020-a of the Education Law and/or the HTA contract.
5. If a staff member in the classified service of the civil service, he/she shall be subject to immediate ejection and to the penalties and procedures prescribed in section 75 of the Civil Service Law.
6. If a staff member other than one described in subdivisions 4 and 5, he/she shall be subject to immediate ejection and to dismissal, suspension without pay or censure.

Enforcement Program

1. The Superintendent shall be responsible for the enforcement of these rules, and he/she shall designate the other personnel who are authorized to take action in accordance with such rules when required or appropriate to carry them into effect.
2. In the case of any apparent violation of these rules by such persons, which, in the judgment of the Superintendent or his/her designee, does not pose any immediate threat of injury to person or property, such school official may make reasonable effort to learn the cause of the conduct in question and to persuade those engaged therein to desist and to resort to permissible methods for the resolution of any issues which may be presented. In doing so such school official shall warn such persons of the consequences of persistence in the prohibited conduct, including their ejection from any district properties where their continued presence and conduct is in violation of these rules.
3. In any case where violation of these rules does not cease after such warning and in other cases of willful violation of such rules, the Superintendent or his/her designee shall cause the ejection of the violator from any premises which he/she occupies in such violation and/or, if appropriate, make recourse to police authorities. The school official may also initiate disciplinary action as hereinbefore provided.
4. The Superintendent or his/her designee may apply to the public authorities for any aid which he/she deems necessary in causing the ejection of any violator of these rules and he/she may request the Board's Counsel to apply to any court of appropriate jurisdiction for an injunction to restrain the violation or threatened violation of such rules.

This regulation and the penalties contained herein are not considered to be inclusive or to preclude in any way the prosecution and conviction of any person for the violation of any federal law, state law, or local ordinance and the imposition of a fine or penalty provided for therein.

Amendment

These rules and regulations may be amended or modified by the Board. All future amendments shall be filed with the Board of Regents and Commissioner of Education not later than 10 days after adoption.

Approved: July 1, 2001